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REMARKS

The present invention provides a very compact thin width multi-functional token dispensing and banknote changing device. One application of the present invention is to accommodate locations adjacent gambling machines such as coin slot machines.

As can be appreciated, the capacity to provide an occasion of banknotes inserted while maximizing storage space for both banknotes and tokens, are challenging design features for people skilled in this field. Additionally, economic factors are always a consideration while facilitating maintenance and resupplying and removal of safes in a confined space of a casino floor. The maximum number of gambling machines in a limited space are significant design factors.

Given that companies employ engineers to address these issues, particular in the current environment of increased legalization of gambling, creates a highly competitive and crowded environment.

"Thus when differences that may appear technologically minor nonetheless have a practical impact, particularly in a crowded field, the decision-maker must consider the obviousness of the new structure in this light."

Continental Can Co. USA Inc. v. Monsanto Co., 20 U.S.P.Q.2d. 1746, 1752 (Fed. Cir. 1991).

Our present invention includes a safe with a banknote length sensor that is capable of determining an abnormal length of an inserted banknote. A door that can be securely fastened with a support or open slot edge to the door to interface with an elongated rod performs a hinging function, wherein the door can be removed without requiring space for a full swing or movement of the door. Thus, various compartments can be recharged with banknotes, have safes removed and maintenance performed in a limited access space.

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A banknote safe member can also have a banknote storing section that retains stored banknotes at an advantageous inclination or angle to the horizontal to provide a compact configuration. The banknote storing section can have a substantially trapezoidal shape as shown in Figure 5.

The Office Action in addressing Claims 12-17 simply contended that it would be obvious to configure the doors with appropriate locks and hinges to meet the security needs of the vending machine. The Office Action apparently did not recognize the above design factors of a compact space with limited ability to provide movement for doors since it is highly desirable to maximize the number of gambling machines in any casino, and to place them as close together as possible. Applicant, accordingly, traverses the assertion that it would be obvious without the citation of a reference in support of this position, in accordance with MPEP §706.02(a).

The Office Action contended that Claims 1-4 and 18 would be obvious over the *Sagady* (U.S. Patent No. 6,155,398) in view of the *Saltsov et al* (U.S. Patent No. 6,371,473). The Office Action contended that the *Sagady* reference discloses an appropriate configuration of a vending machine, and that the *Saltsov et al* reference would teach a combination of the banknote validator and a banknote dispenser of a modular configuration for modification of the *Sagady* reference.

In addition, Claims 6-17 are rejected as being obvious over the *Sagady* reference in view of the *Saltsov et al* reference when taken further in view of the *Winstanley* (U.S. Patent No. 5,400,891) reference. The *Winstanley* reference was cited for a feature of utilizing a cassette that could be replaced in a validator.

"When prior art references require selective combination by the court to render obvious a subsequent invention, there must be some reason for the combination other than the hindsight gleaned from the invention itself."

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Interconnect Planning Corp. v. Fell, 774 F.2d 1132, 1143 (Fed. Cir. 1985).

The *Sagady* reference discloses a vending machine having a validator 100 immediately adjacent the entrance of the banknote. The problems sought to be resolved are related to a coin validator with an anti-jam coin jam detection system. A microprocessor could start a timer sequence upon a first signal indicating the entrance of the coin. A second signal from a coin sensor establishes the time in which the coin translates across a predetermined distance. By comparing the actual measured time with a predetermined time range of values, it is possible to generate a jam signal if the measured time is outside the predetermined range. When this occurs, the vending machine is rendered inoperable.

Thus, a person of ordinary skill would be taught by the *Sagady* reference to use a particular timing sequence to prevent fraud or jamming of a coin operated system. It is presumed that such a system from the design shown in the figures could be used in a candy dispenser as disclosed in Figure 1, as appropriate for an assignee of Mars, Inc. As can be appreciated, in such an environment, the space concerns of a casino are not paramount.

The *Saltsov et al* reference is a combination banknote validator and banknote dispenser that seeks to provide a validator that would occupy a relatively small space. In this regard, a validator is provided at the top of the machine and a vertical pathway is then utilized for a pair of accumulators. As noted in Column 4, Lines 18-33, the banknote accumulators 3B and 3C are identical and form opposite pairs on opposite sides of the pathway 104. The banknotes in entering any specific accumulator is engaged by thin tape belt strips 124, 126 to prevent any slipping. See Column 5, Lines 4-25.

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A friction clutch is associated with the reels of the tape spools. As can be appreciated, the present invention does not use a combination of thin tape belt strips 124, 126 to feed banknotes onto an accumulator cylindrical drum and to appropriately store and dispense the notes from such a rotary configuration. The one-way clutch of the present invention is to prevent damage by accommodating different speeds when translating banknotes within our device.

Our present invention also includes a banknote supply storing section at the top and rejected banknotes storing section at the bottom. Accordingly, the banknotes supply storing section which can be arranged in a horizontally inclined trapezoidal configuration, is above the rejected banknote storing section with a banknote receiving unit and a token dispensing unit stacked in a vertical column.

Thus, as set forth in amended Claim 1 and the claims dependent therefrom, a unique arrangement of the banknote dispensing unit with its components of a banknote receiving unit and the token dispensing unit, are defined in a stacked, vertical column. This arrangement is not taught by any combination of the references of record.

The *Winstanley* reference was concerned with replaceable cassettes holding a plurality of coin storage tubes, and more particularly removable and replaceable cassettes wherein the storage tube modules can be reusably exchanged from one cassette to another as the principal teaching in this reference. As noted, an aftermarket modification of an existing coin mechanism, could thereby be provided with a different set of coin denominations to increase the service life of such mechanisms. Accordingly, the problem solved is to provide a new coin tube mechanism where individual coin tube modules could be interchanged to accommodate different dimensions of coins. It is not seen how this teaching would suggest to a person of ordinary skill in the field

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any modification of either the *Sagady* or the *Saltsov et al* reference to meet the presently pending claims.

As noted in the cited MPEP §2141 (pg. 2100-120):

When applying 35 U.S.C. §103, the following tenets of patent law must be adhered to:

- (A) The claimed invention must be considered as a whole;
- (B) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination;
- (C) The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention; and
- (D) Reasonable expectation of success is the standard with which obviousness is determined.

Hodosh v. Block Drug Co., Inc., 786 F.2d 1136, 1143 n.5, U.S.P.Q 187 n.5 (Fed. Cir. 1986). (Emphasis added.)

Claim 19 defines not only a specific arrangement from a top to bottom of the modular components of the present invention, but further defines specific features and locations neither taught nor suggested by any combination of the references of records. These components and their location are to facilitate an extremely compact and narrow configuration of modular components that facilitate the advantages of the present invention.

Newly drafted Claim 20 further defines the particular configuration of the banknote dispensing unit in a compact vertical configuration that is neither taught nor suggested by any of the references of record.

In view of the above comments, it is believed that the present application is now in condition for allowance, and an early notification of the same is requested.

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If the Examiner believes that a telephone interview will help further the prosecution of this case, the undersigned attorney can be contacted in the listed phone number.

I hereby certify that this correspondence is being transmitted via facsimile to the USPTO at 571-273-8300 on May 31, 2006.

Very truly yours,


SNELL & WILMER L.L.P.

By: Sharon Farnus

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Signature

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